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Consideration of reports submitted by States parties under article 40 of the Covenant

List of issues in relation to the second periodic report of the Niger

Addendum

Replies of the Niger to the list of issues*

[Date received: 1 December 2018]

* The present document is being issued without formal editing.

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1. The Government of the Niger has had the pleasure to submit to the Human Rights Committee its second periodic report under article 40 of the International Covenant on Civil and Political Rights. It thanks the Committee for having conducted a preliminary review of the report and subsequently sending a list of issues. This document constitutes the Government's replies to that list.

Constitutional and legal framework within which the Covenant is implemented (art. 2)

Reply to paragraph 1 of the list of issues

2. The status of the Covenant in the domestic legal system is governed by articles 170 and 171 of the Constitution. Article 170 establishes that when "an international undertaking contains a clause that is unconstitutional, authorization to ratify that undertaking may be given only after amending the Constitution".

3. Article 171 stipulates that "duly ratified international treaties or agreements shall, following their publication, take precedence over national laws".

4. Article 2 of the Code of Civil Procedure (Act No. 2015-23 of 23 April 2015) provides that: "All persons shall have the right to pursue before the competent national courts any act that violates the fundamental rights recognized and protected under [....] international conventions".

5. The courts have had occasion to apply the Covenant provisions directly. In a recent example of such application, in decision No. 09/CC/MC of 17 July 2018, the Constitutional Court of the Niger ruled that article 183, paragraph 2, of the Code of Criminal Procedure violates the provisions of articles 7 and 10 of the Universal Declaration of Human Rights and article 14 of the International Covenant on Civil and Political Rights by enshrining inequality rather than equality for all persons before the law.

6. Despite the dualism in the domestic legal system, the Government has taken steps to identify incompatibilities between customary norms and the Covenant provisions and to ensure that the latter clearly take precedence over the former. Thus, article 72 of Act No. 2018-37 of 1 June 2018 provides that:

> "Without prejudice to the obligation to respect duly ratified international conventions, the provisions of law and fundamental rules concerning public order and personal freedom, the courts shall apply the custom of the parties:
>
> (1) in matters concerning their capacity to enter into agreements and stand in court, personal status, the family, marriage, divorce, filiation, inheritance, gifts and wills;
>
> (2) in matters concerning property and landownership and the rights deriving therefrom, except when the dispute relates to registered land or when the acquisition or transfer of such land has been registered using a method established by law."

7. This clearly means that any customary rule that is contrary to an international treaty, written law or fundamental rule relating to public order or personal freedom will be overridden. Courts have on numerous occasions been required to set aside customary rules in favour of a treaty or written law.

8. With regard to remedies available to victims, any person who believes that his or her rights have been violated may apply to the competent authority or court for restitution. In administrative matters, the victim must first apply either for reconsideration or for review by a higher body. If not satisfied by the outcome of this application, he or she may then apply to the administrative courts, which are, in order of hierarchy, the Administrative Court of First Instance, the Administrative Chamber of the Court of Appeal (on appeal) and the Council of State (on appeal in cassation).

9. The right to a second hearing also applies in judicial matters. Decisions of the first-instance courts may be challenged before the Court of Final Appeal and, in the last resort,

before the Court of Cassation. It should be noted that the latter rules only on the application of the law. In the administration of justice, all courts in the Niger respect the principles of impartiality, presumption of innocence, equality, legality and fairness, the adversarial principle, the right to a second hearing and the right to human treatment, among others.

10. To raise awareness of the Covenant provisions among judges, lawyers, the defence and security forces and the general public, with support from civil society organizations and technical and financial partners the Government regularly provides training and education through seminars, workshops and radio and television broadcasts. Non-governmental organizations (NGOs) also work to make members of the general public aware that they have the option of submitting complaints directly to the Committee if they believe that any one of their rights under the Covenant has been violated. There are also plans to translate the Covenant into national languages.

Reply to paragraph 2 of the list of issues

11. The National Human Rights Commission is composed of nine independent members, as follows:

- A judge elected by his or her peers
- A lawyer elected by his or her peers
- An elected representative of organizations working to safeguard human rights and promote democracy
- An elected representative of associations working in the field of women's rights
- An elected trade union representative
- A university lecturer elected by his or her peers
- An elected representative of farmers' organizations
- Two representatives appointed by the National Assembly

12. To ensure greater representation of women on the Commission and among its staff, an amendment to Act No. 2012-44 of 24 August 2012 is in the pipeline that will ensure that at least one of the two representatives appointed by the National Assembly is a woman. This reform will raise the number of women commissioners to 22 per cent of the total. As for female staff, 16 out of the 43 officers are women.

13. The Commission has financial autonomy but is impeded by a lack of sufficient resources. The State is aware of this situation and has undertaken, to the extent possible, to endow it with genuine financial autonomy as defined in the Paris Principles.

14. The Commission has the broadest possible powers to investigate all human rights issues.

15. To this end, it may take:

- Complaints from any private individual or legal entity
- Witness statements
- Statements from alleged perpetrators

16. The Commission has unrestricted access to any source of information necessary for its work and may request any document, held by any person, that is necessary for the conduct of its activities. In cases of slavery practices, it can represent victims. It may also request the assistance of the police force.

17. The composition of the Commission's staff is as follows:

- At central level: 45 officers, including 16 contract staff and 19 women
- At regional (branch) level: 8 officers

18. At present, the Commission has three regional offices, in Agadez, Diffa and Tillabéry. All other regions are overseen by focal points.

19. The Commission has carried out various types of activity under its different strategic plans.

20. In the field of human rights protection, these have included, among others:

- Examining and processing complaints
- Visiting the majority of the country's detention centres (prisons, police stations, gendarmerie brigade premises)
- Visiting health centres and schools
- Carrying out investigations in companies
- Monitoring elections
- Visiting camps for refugees and internally displaced persons

21. In the field of human rights promotion, these have included, among other activities:

- Capacity-building for commissioners and administrative and technical staff
- Organizing training workshops for state and non-state actors on human rights, investigative and report writing techniques, judicial and legal approaches, rural policing, etc.
- Conducting research into pastoralism, businesses and human rights
- Human rights awareness-raising missions
- Peace forums
- Round tables on the prevention of torture, abolition of the death penalty and exercise of the right to demonstrate

22. The Commission has produced a number of reports:

- 2013–2014, 2015–2016 and 2017 reports on the human rights situation in the Niger, all of which have been submitted to the parliament
- Alternative report to the third and fourth periodic reports of the Niger to the Committee on the Rights of the Child
- Alternative report to the initial report of the Niger to the Committee on the Rights of Persons with Disabilities
- Alternative report to the report of the Niger to the Committee on the Elimination of Discrimination against Women, covering the period 2005–2012
- Alternative report to the initial report of the Niger to the Committee on Economic, Social and Cultural Rights, covering the period 1988–2015
- Alternative report to the report of the Niger to the Human Rights Committee
- Alternative report to the report of the Niger under the African Charter on the Rights and Welfare of the Child covering the period 2005–2011

23. Measures taken to raise awareness of the National Human Rights Commission among the general public have included:

- Formulation and approval of a communications strategy
- Participation in human rights conferences and seminars at the subregional, regional and international levels
- Extensive media coverage of all the Commission's activities
- Production of information materials (leaflets, quarterly newsletters)

Anti-corruption measures and natural resources management (arts. 1, 2 and 25)

Reply to paragraph 3 of the list of issues

24. The Government of the Niger has established a legal and institutional framework for combating corruption.

Legislative framework

25. The Niger is party to a number of international and regional legal instruments combating corruption. These include the United Nations Convention against Transnational Organized Crime, the United Nations Convention against Corruption, the African Union Convention on Preventing and Combating Corruption, and the Economic Community of West African States Protocol on the Fight against Corruption.

26. In addition to these instruments, a number of domestic legal instruments provide support in the fight against corruption. These include, among others:

- The Constitution
- The Criminal Code
- The Electoral Code
- Ordinance No. 92-024 of 18 June 1992 on the suppression of illicit enrichment
- Act No. 2001-034 of 31 December 2001 determining the other public officials subject to asset declaration obligations
- Act No. 2004-41 of 8 June 2004 on the suppression of money-laundering
- The Political Parties Charter (Ordinance No. 2010-84 of 16 December 2010)
- The Charter on Access to Public Information and Administrative Documents (Ordinance No. 2011-22 of 23 February 2011)
- Act No. 2011-37 of 28 October 2011 on the general principles, oversight and regulation of public procurement and public service concessions

Institutional framework

27. Relevant institutional bodies include the National Assembly, the Court of Auditors and the criminal courts, including the judicial division specialized in economic and financial matters and the chambers specialized in economic and financial matters.

28. The principle administrative oversight and inspection bodies are:

- The Supreme Authority for the Fight against Corruption and Related Offences, created by Act No. 2016-44 of 6 December 2016, which is mandated to prevent and combat corruption and related offences
- The office for information and complaints related to the fight against corruption and influence peddling in the judiciary (which runs a telephone hotline)
- The General State Inspectorate
- The General Finance Inspectorate
- The General Directorate for the Oversight of Public Procurement and Financial Commitments of the State
- The Public Procurement Regulation Agency
- The National Financial Information Processing Unit

29. As regards the transparent management of mining resources, it should be noted that all mining-related agreements must be published in the official gazette. Revenues generated by mining are managed in a fully transparent manner in line with a pre-established legal framework.

30. Article 95 of the Mining Act (Ordinance No. 2017-03 of 30 June 2017) provides that revenues from mining will be allocated as follows:

- 85 per cent to the national budget
- 15 per cent to the budget of the local authorities concerned, to fund local development

31. The Mining Act regulates the exit and sale of extracted products in such a way that tax evasion is difficult. Pursuant to article 84 of the Act, all mineral producers are subject to payment of a mining royalty, which must be settled when stock is removed from storage and placed on sale – in other words, producers are required to provide a pro-forma invoice for products due to be sold before they are granted an exit permit.

32. The mining royalty is calculated at 5.5 per cent of the sale price and is paid by the production company or producer in advance, when the products are shipped. The proceeds of the sale must be transferred to a bank account opened in a commercial bank approved by the Government of the Niger.

33. Upon signature of a mining agreement, producers undertake to use a percentage of their sales to contribute to the development of the areas in which their mining facilities are located. The amount of their contributions is specified in a memorandum of understanding signed with the Ministry of Mining. Thus, it can be seen that, in 2016, the mining companies Société des Mines de l'Aïr (SOMAIR) and Compagnie Minière d'Akokan (COMINAK) purchased local goods and services to the value of CFAF 71 billion, equivalent to 56 per cent of the two companies' total purchases.

34. Priority is given to local expertise for certain job functions and for subcontracted services. As of the end of 2016, 3,800 contractual and subcontractor posts had been created.

35. With regard to the development of the municipalities in which the mines are located, between 2012 and 2016 SOMAIR and COMINAK invested approximately CFAF 6 billion in projects to support the development of local communities in the fields of education, health infrastructure, access to water, etc.

36. The mining companies have undertaken to develop the Irazère Valley in a manner that favours market gardening in the area and to resume construction of the road linking Tahoua and Arlit.

37. Mining does not prevent people in the area from going about their normal activities. After the environmental impact assessment, compensation is paid to owners whose land is affected or expropriated in accordance with Act No. 61-37 of 24 November 1961 on expropriation in the public interest.

The fight against impunity and past human rights violations (arts. 2, 6, 7 and 14)

Reply to paragraph 4 of the list of issues

38. The events that took place in Tchintabaraden in May 1990 were sparked by an attack on the premises of the gendarmerie by a group of Tuareg demonstrators who wanted to free friends who were being detained there. The attackers killed a gendarme and his brother and then stole weapons. The defence and security forces' response was very violent, resulting in deaths on both sides. The Sovereign National Conference is considering the case and has established responsibilities. As a result, the senior army officers responsible for giving illegal orders have been punished. A political settlement of this case has helped to ease tensions.

39. Concerning the Boultoungoure mass grave case, the authorities of the time did not conduct an investigation until the events were subject to the statute of limitations.

40. The various amnesty laws that have been adopted by successive regimes are intended to ensure public security and peace by preventing the kind of settling of scores that

can be harmful to national unity. Amnesty laws make it possible to forget painful episodes in a country's history.

41. Despite the amnesty, victims or their beneficiaries still have the option of obtaining reparation through the national civil courts and international courts. Thus, after unsuccessfully seeking to obtain the repeal of the amnesty, in 2015 the family of the late President Baaré Mainassara secured a ruling from the Court of Justice of the Economic Community of West African States ordering the State of the Niger to pay damages. The State has complied with this order despite the amnesty law.

States of emergency and counter-terrorism measures (arts. 4, 6, 7, 9, 12 and 19)

Reply to paragraph 5 of the list of issues

42. The measures that are taken in states of emergency are set out in laws published in the official gazette of the Republic of the Niger that are publically accessible. Information about the measures is widely disseminated through the media. The measures prohibit motorcycle traffic on the grounds that such vehicles are used by terrorists to commit their crimes. The measures also prohibit the sale of certain products that are sources of terrorist financing. None of the measures impinge on the non-derogable rights established in the Covenant.

43. Since the first terrorist attacks, states of emergency have been declared in the regions of Diffa, Tahoua and Tillabéry. Each state of emergency lasts for a renewable period of three months.

44. All promulgated laws and regulations are published in the official gazette of the Republic of the Niger. In addition, decisions concerning the implementation of states of emergency are taken in accordance with in-force legislation. All persons can obtain copies of such decisions. The texts are also displayed in the offices of the governorate or municipalities concerned.

45. In a state of emergency, it is necessary to curtail certain freedoms, such as freedom of movement. However, it must be understood that this measure is intended to ensure the security of the people and to enable the defence and security forces to carry out their duties effectively, and that the forces deployed are limited to those strictly necessary to carry out the actions required.

46. For some years now, the defence and security forces have been trained in human rights concepts and in how to maintain public order while respecting human rights. Furthermore, in some forces (police and gendarmerie) a human rights module is included in the training curricula.

47. Any abuse brought to the attention of the courts is prosecuted. However, inspection units dispatched to the region in which the conflict is taking place in order to verify allegations of human rights violations have generally found the behaviour of the defence and security forces in the field to be exemplary. Joint missions in which the State is supported by the United Nations Development Programme or civil society organizations have also been deployed to verify all such allegations of abuse, which have for the most part proved to be false.

48. While it is true that isolated incidents of unlawful conduct on the part of certain rogue elements have inevitably occurred, whenever serious cases have been identified, military and criminal penalties have been imposed on the perpetrators.

Reply to paragraph 6 of the list of issues

49. Since the terrorist phenomenon emerged, the Government of the Niger has amended the Criminal Code and Code of Criminal Procedure to take account of international obligations, including those of the Covenant, by means of Act No. 2011-12 of 27 January 2011, Act No. 2016-22 of 16 June 2016, Act No. 2016-33 of 31 October 2016 and Act No. 2017-10 of 31 March 2017.

50. Since the Boko Haram attacks began, approximately 1,200 people have been arrested either during combat or under the state of emergency. These persons have been prosecuted for various offences ranging from criminal conspiracy in connection with a terrorist undertaking to murder. The first hearings were held before the counter-terrorism judicial authority in Niamey in March 2017. The second hearing was relocated to Diffa in July 2018. A total of 1,016 suspected terrorists were tried, with the following outcomes:

- Number of persons convicted: 214
- Number of cases dismissed: 440
- Number of persons released or acquitted: 320
- Number of persons released on bail: 42

51. Proceedings brought against civil society actors have always been conducted in accordance with the provisions of in-force legislation, respecting the right to be presumed innocent and the right to a defence. In addition, these persons have been assisted by lawyers and have had every opportunity to refute and challenge any actions that they may deem unlawful. They have also enjoyed all guarantees of a fair trial.

52. Immediately upon their arrest, those detained on terrorism charges were placed in the custody of the counter-terrorism police and transferred to Niamey, where they were brought before a judge. All guarantees required under the Code of Criminal Procedure were upheld during this process. The courts have not received any complaints of ill-treatment or torture. In addition, these detainees received regular visits from representatives of the International Committee of the Red Cross, the National Human Rights Commission, civil society organizations and volunteers working for the United Nations Office on Drugs and Crime. Some observers found that the detainees in question were being treated better than other prisoners in terms of the benefits they received.

Non-discrimination (arts. 2, 7, 24, 25 and 26)

Reply to paragraph 7 of the list of issues

53. Although it has not yet adopted a specific law on discrimination as advocated under the International Convention on the Elimination of All Forms of Racial Discrimination ratified in 1967, the Niger has legislation that addresses both direct and indirect discrimination and specifies gender, disability and sex as prohibited grounds for discrimination. Victims have access to effective remedies through the courts.

54. Statistical data on the number of complaints of discrimination recorded and the number of prosecutions brought in the Niger are not available due to a lack of reliable statistics.

55. At present, there are no plans to amend article 282 of the Criminal Code, which describes sexual activity between persons of the same sex – which remains a criminal offence in the country – as an "unnatural" act.

56. The recommendations of the Special Rapporteur on contemporary forms of slavery have been acted upon. However, a compensation fund for victims has yet to be established.

57. The State is endeavouring to eliminate all forms of discrimination against women, girls and persons with disabilities. Public policies in all areas are designed to enable them to reach their full potential and to participate in national development.

58. As part of other measures taken to implement the recommendations of the Special Rapporteur on contemporary forms of slavery, including their causes and consequences, the Government of the Niger is considering amending the Criminal Code to take account of descent-based slavery in order to put an end to discrimination against former slaves and their descendants.

59. It should also be noted that NGOs active in the field are carrying out awareness-raising activities in the areas affected by this phenomenon in order to encourage people to

report any cases of which they may be aware. The courts punish cases brought before them in accordance with the laws in force.

Gender equality and discrimination against women (arts. 2, 3, 23, 25 and 26)

Reply to paragraph 8 of the list of issues

60. The law on the quota system for women sets the minimum thresholds for women's representation in elected office and in public administration and government at 15 per cent and 25 per cent respectively. These minimums are not yet being met despite the goodwill and effort on the part of the Government. Current levels are shown in the table below.

	Women		*Men*		
Office	*Number*	*%*	*Number*	*%*	*Total*
Members of Parliament	27	15.78%	144	84.21%	171
Ministers	8	19%	34	80.95%	42
Ministry SG	3	7.16%	39	92.85%	42
Ministry Deputy SG	2				
Governors	0	0%	8	100%	8
Governorate SG	0		8	100%	8
Governorate Deputy SG	3		5		8
Prefects	0	0%	63	100%	63
Mayors	8	2.96%	262	97.04%	270
Regional councillors	36	13.84%	224	86.16%	260
Municipal and district councillors	584	15.88%	3 092	84.12%	3 676
Regional councillors	34	12.78%	232	96.4%	266
City/town councillors	17	16.34%	87	83.66%	104
Political parties	3	3.44%	84	96.55%	87
Trade union federation	1	7.69%	12	92.31%	13

61. Additional measures are envisaged to increase women's representation in public life, and especially in decision-making positions – namely, an intensification of efforts to encourage women to take an interest in political issues.

62. A proposal to raise the quotas set by law is also under consideration. The revision would increase the minimum quota for elected positions from 15 per cent to 20 per cent and the minimum quota for public sector appointments from 25 per cent to 30 per cent.

63. In order to encourage the participation of women and to remove obstacles to their participation in political and public life, the Ministry for the Advancement of Women has commissioned a study of the situation with regard to female leadership with a view to formulating a specific programme.

64. In preparation for the 2016 general elections, several measures were adopted by government agencies and civil society organizations to improve the participation of women in public affairs. These involved awareness-raising and workshops on women's political participation.

65. The State is making huge efforts to adopt the draft family code drawn up in 2010. The new code will abolish provisions that discriminate against women and certain categories of children and will harmonize statutory, customary and Islamic law with the provisions of international conventions. Through a dedicated committee and with the support of NGOs, the Government is continuing its endeavours to educate and inform the public in general, and traditional chiefs, religious leaders and local and national elected representatives in particular.

66. Act No. 2004-50 of 22 July 2004 has been repealed and replaced by Act No. 2018-37 of 1 June 2018, but the latter did not introduce any changes related to personal status. However, it should be pointed out that, pursuant to article 73 of the new Act, judges must refrain from implementing any customary provision deemed contrary to written law, public order, public morals or international treaties. There have been cases in practice in which customary provisions have been rejected in application of this article.

67. A review of the Civil Code is not currently envisaged, particularly since almost all nationals of the Niger choose to follow customary law in their daily lives. Any legislative amendment would necessarily require social, economic and cultural change among the people.

Violence against women, harmful practices and *wahaya* (arts. 2, 3, 6, 7, 8 and 26)

Reply to paragraph 9 of the list of issues

68. The Niger adopted a national strategy for preventing and responding to gender-based violence and a related action plan in 2017.

69. The Criminal Code was revised in 2003 to incorporate a new definition of rape, which is henceforth defined as "any act of sexual penetration of any nature committed against another person by means of violence, coercion, threat or surprise". There is nothing in the wording of this definition legally contrary to the criminalization of marital rape but in practice customary perceptions of marriage make it almost inconceivable that one spouse might file a complaint of marital rape against the other.

70. To build the capacity of front-line actors such as criminal investigation police officers, midwives and judges, training sessions on gender-based violence, the care of survivors and data collection tools have been organized.

Reply to paragraph 10 of the list of issues

71. The ratification of the International Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child, which include articles outlawing child marriage, marked significant advances for the Niger in the fight against this harmful social practice. In addition, in accordance with these legal instruments for the protection of children, in 2017 the Government, through the Ministry in charge of child protection, embarked on a drive to end to child marriage. A national strategic plan to end child marriage and promote the marriage of young people aged over 18 years old was formulated and approved in 2018. Traditional leaders have fully embraced the project. Only a few religious figures are still resisting the change.

72. As regards the phenomenon of *wahaya* (taking a fifth wife), while they are still a few isolated cases in some regions of the Niger, significant progress has been made in the fight against slavery in general and against related practices. For example, in 2015, the Niger made history by becoming the first West African nation to ratify the International Labour Organization (ILO) Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29). This decision was a major step forward in the fight against modern slavery.

73. The practice of *wahaya* is punishable under article 270.2 of the Criminal Code and article 10 of Ordinance No. 2010-086 of 16 December 2010 on combating trafficking in persons. Up-to-date estimates of the number of *wahayu* are not available but, as the practice of *wahaya* is a form of trafficking in persons, statistics provided by the protection services for cases of trafficking in persons recorded from 2014 to 2017 are provided below.

Year	*2014*	*2015*	*2016*	*2017*
Number of cases	16	28	20	133

74. Awareness-raising campaigns to foster a change in behaviour among the general public are carried out with the assistance of State bodies and civil society and, most importantly, the involvement of customary leaders.

75. In this context, on 26 September 2014, the National Agency for the Fight against Trafficking in Persons organized a public conference entitled: "*Wahaya* or fifth wife: religious act or customary practice?". The conference was sponsored by the Minister of Justice, who took the opportunity to publicly urge all courts in the Niger rigorously to apply the criminal provisions outlawing the practice of *wahaya*.

76. To ensure the rehabilitation and care of all victims of trafficking, including women subjected to the practice of *wahaya*, the Government has prepared a draft decree establishing a special compensation fund for victims of trafficking. In addition, a shelter for victims of trafficking has been established in Zinder. Other centres are being established in other regions.

77. Victims receive assistance and support in reception centres staffed by trained, qualified personnel who have the various skills required to provide such services.

Maternal mortality and voluntary termination of pregnancy (arts. 2, 3 and 7)

Reply to paragraph 11 of the list of issues

78. Figures for maternal and infant mortality in the years 2006, 2012 and 2017 are shown in the table below.

Table 1
Mortality rate among children under 5 years old according to the 2006, 2012 and 2017 demographic and health surveys

Indicators	*1992 demographic and health survey*	*1998 demographic and health survey*	*2006 demographic and health survey*	*2012 demographic and health survey*	*2015 national survey of socioeconomic and demographic indicators*
Infant mortality	134	123	81	51	51
Child mortality	224	172	126	81	79
Infant-child mortality rate	326	274	198	127	126

Table 2
Maternal mortality according to the 2006, 2012 and 2017 demographic and health surveys

Indicator	*1992 demographic and health survey*	*1998 demographic and health survey*	*2006 demographic and health survey*	*2012 demographic and health survey*	*2015 national survey of socioeconomic and demographic indicators*
Maternal mortality	652	648	648	535	520

79. In 2016, the main causes of death among children under 5 years old were malaria (61.11%), pneumonia (8.16%) and diarrhoea with dehydration (4.01%).

80. The promotion of reproductive health, which encompasses family planning, sexual health and the prevention of early pregnancy, is a strategic priority under the 2017-2021 Health Development Plan, which provides the frame of reference for all health-related actions.

81. The Ministry of Health has also drawn up guidelines for repositioning family planning, together with a national action plan designed to achieve a contraceptive prevalence rate of 50 per cent by 2020.

82. The "school for husbands" programme, under which men get involved in promoting reproductive health as a means to drive behaviour change, provides a forum for reflection

Prohibition of torture and cruel, inhuman or degrading treatment, conduct of the security forces and treatment of persons deprived of their liberty (arts. 6, 7 and 10)

Reply to paragraph 14 of the list of issues

97. A bill criminalizing torture in conformity with the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment has been drafted and will soon be presented for adoption. A national plan to combat torture will be drawn up as soon as the bill is adopted. The Criminal Code provides for the punishment of perpetrators, co-perpetrators and accomplices in acts of torture under other charges. This indicates that there is no impunity in such cases. In proceedings brought by victims or initiated by the public prosecution service, the courts punish perpetrators, co-perpetrators and accomplices regardless of their status. Victims and/or their beneficiaries receive compensation for damages.

98. Article 14 of the Constitution prohibits torture. Under the Criminal Code and many other domestic laws, perpetrators, co-perpetrators and accomplices in acts of torture are punished under other charges. The complaint mechanisms and effective remedies available to persons who claim to have been subjected to torture or ill-treatment at the hands of State officials are the same as those available to victims of other offences. Thus, article 39 of the Code of Criminal Procedure states that: "The Public Prosecution Service shall take receipt of reports and complaints and shall determine the follow-up that they should receive. When a case is dismissed, the Public Prosecution Service shall notify the complainant."

99. Victims of acts of torture also have the option of initiating a case before the criminal investigation police. If the latter fails to take action, they can then take their case directly to the Public Prosecution Service. If the Public Prosecutor dismisses their complaint without further action, victims have the possibility of applying to a higher court for review of their case or, in accordance with article 80 of the Criminal Procedure Code, "filing a complaint directly before the competent investigating judge, in the form of a personal suit against the alleged offender". The investigating judge thus seized is under an obligation to investigate the case by carrying out all the investigations necessary to establish the truth and, if necessary, to refer the case back to the trial court.

100. Lastly, victims may have the perpetrator(s) and accomplices appear before the competent trial court by issuing a direct summons. Victims and/or witnesses have a right of recourse to the courts, in particular the right to report crimes of which they are aware or of which they are victims.

101. Notwithstanding these domestic judicial remedies, victims and complainants may also submit their cases to international jurisdictions such as the Economic Community of West African States and the African Commission on Human and Peoples' Rights, among others, especially if the competent authorities have refused to investigate their case.

102. A number of persons have been charged and brought before the courts for acts of torture in application of the measures detailed above. Specific cases include:

- The prosecution and imprisonment of police officers who, in April 2017, engaged in acts of torture against a student who had been involved in a demonstration
- The prosecution and imprisonment of a prison officer who committed acts of violence that caused the death of a prisoner at the N'Guigmi detention facility in September 2016
- The imposition of administrative penalties on officers of the National Guard who subjected a detainee to cruel, inhuman and degrading treatment in 2016
- The prosecution and imprisonment of three officers of the National Intervention and Security Forces for kidnapping, rape, violence and causing bodily harm to a young girl arrested during a patrol in 2002
- The prosecution and imprisonment of gendarmes who, in 1999, used violence against suspects in order to extract confessions that resulted in the amputation of four lower and upper limbs

- The prosecution and imprisonment, in 1999, of a traditional chief who engaged in acts of torture and inhuman and degrading treatment

103. On the disciplinary level, the supervisory authority may undertake any action necessary to determine the responsibility of officers who commit acts of torture, without prejudice to any criminal penalties imposed.

104. The rules governing the admission of evidence in criminal cases are set out in articles 414 to 433 of the Code of Criminal Procedure. Specifically, articles 414 and 415 provide that there are no restrictions on the admission of evidence, which is left to the discretion of the judge. For this reason, records of preliminary inquiries are used for information purposes only. Evidence obtained by means of torture is considered in case law as a violation of the right to a defence.

105. The Code of Criminal Procedure stipulates that all persons held in custody during an investigation must be examined by a doctor to certify that they have not been subjected to physical violence or torture of any form, and that in the absence of such certification the inquiries are null and void. If the doctor finds that the person has been subjected to acts of torture or violence, it is up to the judge to draw the necessary conclusions, for example, by cancelling the proceedings or releasing the suspect. In addition, to prevent torture, all persons held in police custody have the right to be assisted by a lawyer from the outset of the period of police custody.

Reply to paragraph 15 of the list of issues

106. It is common practice for law enforcement officers to use conventional methods of coercion to disperse prohibited or unauthorized demonstrations. These methods can often cause physical injury to demonstrators. It is also possible that some officers may engage in unlawful acts that go beyond the orders issued to them. In such cases, the officers concerned will be held personally responsible for their actions. To avoid abuse and wrongdoing, police officers receive regular training in how to maintain public order while respecting human rights.

Reply to paragraph 16 of the list of issues

107. With regard to the treatment of migrants and refugees, the Niger complies with the Geneva Conventions. Thus, in line with its tradition of hospitality and solidarity with all peoples, it has welcomed in its various camps thousands of people of various nationalities, including the Sudanese, Somalis, Eritreans, Malians and Nigerians in the north, east and west of the country who have been turned away by other countries. These persons are not subjected to any ill-treatment, contrary to certain allegations. Representatives of the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the International Committee of the Red Cross regularly visit the camps.

108. Contrary to allegations that the principle of non-refoulement is not always respected, in particular with regard to Nigerians and Sudanese, those refugees that have returned home have returned on the basis of voluntary repatriation arrangements organized in conjunction with international NGOs.

109. The law of the Niger includes provisions guaranteeing the non-refoulement of asylum seekers, particularly when they are at risk of being subjected to treatment contrary to article 7 of the Covenant. For example, under article 11 of the Constitution and article 6 of Act No. 97-016 of 20 June 1997 on the status of refugees, applicants for refugee status and recognized refugees may not be expelled, returned or extradited from the Niger other than for reasons of national security or public order. Paragraph 2 of the aforementioned article 6 specifies that refugees may not be expelled, returned or extradited to a territory where their life or freedom would be at risk on account of their race, religion, nationality, membership of a particular social group or political opinions.

Reply to paragraph 17 of the list of issues

110. In 2018 the budget allocation for the upkeep of prisoners (food, medical care, hygiene, bedding and clothing, prison operation) was CFAF 1,360,000,000,000. The

average annual budget allocated to the prison system over the past five years is approximately CFAF 1,300,000,000,000.

111. Prison overcrowding is relative: the 39 prisons of the Niger have a combined capacity of 10,005 places, of which only 9,471 were actually occupied as of 12 October 2018. Some prisons, such as Niamey, are admittedly overcrowded, but most facilities have not reached their maximum capacity.

112. Pretrial detainees and convicted prisoners are not effectively separated in most prisons, some of which date back to the colonial period. The architecture of the more recently built facilities (Loga, Téra, Madarounfa, Aguié) takes account of the need to separate pretrial detainees and convicted prisoners.

113. Despite the inadequacy of the budget allocation, food and medical care for prisoners and detainees are for the most part sufficient, although the prison administration is constantly striving to improve them.

114. The prison administration has no knowledge of any allegations of violence leading to the death of a prisoner in Koutoukalé and has always advocated and applied zero tolerance in respect of attacks on the physical integrity of prisoners.

115. There are several judicial and administrative mechanisms through which possible violations of the physical integrity of detainees may be punished, based on inspections conducted by the prison administration, the National Human Rights Commission and the General Inspectorate of Judicial and Penitentiary Services. A draft law to create an independent national mechanism for the fight against and prevention of torture has been prepared and will soon be submitted for adoption.

116. The table below provides an overview of prison capacity and current occupancy levels.

EFFECTIFS DES DETENUS DES 39 ETABLISSEMENTS PENITENTIAIRES DU NIGER A LA DATE DU VENDREDI 12 OCTOBRE 2018

N°	LOCALITES		Condamnés					Prévenus						
			Hommes	Femmes	Mineurs Garçons	Mineurs Filles	Sous total condamnés	Hommes	Femmes	Mineurs Garçons	Mineurs Filles	Sous total prévenus		
1	ABALAK		60	0	2	0	62	66	4	6	0	76		
2	AGADEZ		113	1	0	0	114	202	11	16	0	229		
3	ARLIT		82	1	0	0	88	182	3	9	0	194		
4	BILMA		3	0	0	0	3	40	2	3	0	45		
5	BOBOYE		64	0	0	0	64	116	3	15	0	134		
6	BOUZA		33	1	1	0	35	55	6	8	1	70		
7	DAIKAINA		163	0	0	0	163	13	1	0	0	14	177	Plus 1 hospitalisé et 2 evadé
8	DAKORO CRJ		0	0	0	0	0	0	0	37	3	40		Dont 25 en protection et 6 evadé
9	DAKORO M.A.		82	0	0	0	82	67	3	12	0	82		Dont 2 hospitalisés
10	DIFFA		76	1	0	0	77	182	3	28	2	215		
11	DOSSO		81	0	2	0	83	146	3	7	0	156		
12	DOUTCHI		34	1	0	0	35	104	7	4	1	116		Plus 1 evadé
13	FILINGUE		63	0	0	0	63	124	3	1	0	128		
14	GAYA		112	1	1	0	114	114	5	23	2	144		
15	GOURE		124	0	0	0	124	170	2	7	0	179		Dont 1 Hospitalisé
16	G/ROUMDJI		57	0	0	0	57	93	0	17	0	110		Plus 1 evadé
17	ILLELA		92	1	1	0	94	71	11	13	0	95		
18	KEITA		56	2	0	0	58	71	8	6	0	85		
19	KOLLO		108	4	0	0	112	608	10	2	0	620		
20	KONNI		124	1	0	0	125	169	7	3	1	180		
21	KOUTOUKALE		87	0	0	0	87	308	0	8	0	316		
22	LOGA		25	1	0	0	26	38	2	4	0	44	70	
23	MADAOUA		58	1	0	0	59	147	9	2	1	159		
24	MAGARIA		149	3	0	0	152	130	6	4	1	141		Dont 1 hospitalisé
25	MAINE SOROA		60	0	0	0	60	85	2	1	0	88		
26	MARADI		192	8	0	0	200	256	17	23	3	299		
27	MATAMAYE		50	5	0	0	55	44	7	0	0	51		plus 10 à Zinder dont 1 malade
28	MAYAHI		34	1	0	0	35	27	6	9	0	42	77	
29	N'GUIGMI		50	0	2	0	52	88	4	14	0	106		
30	NIAMEY		362	9	2	0	373	973	52	56	0	1081		dont 5 hospitalisés (dont 2 à l'
31	OUALLAM		33	0	0	0	33	30	3	5	1	39	72	Dont 1 hospitalisé
32	SAY		57	0	0	0	57	171	1	7	0	186		
33	TAHOUA		96	4	0	0	100	167	9	17	1	194		
34	TANOUT		47	0	0	0	47	79	4	8	0	91		
35	TCHINTA		35	0	1	0	36	69	6	5	0	80		
36	TERA		53	1	1	0	55	85	6	18	1	110		Plus 2 malades hospitalisés à N
37	TESSAOUA		96	0	1	0	97	117	9	9	0	135		
38	TILLABERY		56	2	0	0	58	131	3	7	0	141		
39	ZINDER		269	3	2	1	275	272	16	23	1	312		+ 138 de TANOUT= 725
	TOTAL GENERAL	10005	3163	52	16	1	3232	5550	268	402	19	6239	9471	

Slavery, forced labour and trafficking in persons (arts. 6, 7, 8 and 24)

Reply to paragraph 18 of the list of issues

117. A number of measures have been taken to implement the recommendations of the Special Rapporteur on contemporary forms of slavery:

- The National Agency for the Fight against Trafficking in Persons and Migrant Smuggling has carried out research into people's behaviours, attitudes and practices in relation to trafficking in persons
- It has also organized a public conference on the manner in which slavery and related offences are handled by the courts of the Niger
- It has developed a guide for the identification, referral and care of victims of trafficking in persons
- It has organized several televised debates and public conferences moderated by lawyers, religious chiefs and civil society actors on slavery and similar practices
- A study of the prevalence of slavery and similar practices in the Tahoua region is currently under way

118. Slavery is prohibited under the Criminal Code of the Niger and any person found guilty of such an offence is punished in accordance with the law. Related court decisions can be consulted although no statistical data are available.

119. To encourage victims of trafficking and slavery to come forward, a special compensation fund is being set up for them.

Reply to paragraph 19 of the list of issues

120. The National Agency for the Fight against Trafficking in Persons and Migrant Smuggling is the executive body responsible for implementing and overseeing the national policies and strategies for combating trafficking in persons and migrant smuggling adopted by the National Coordinating Commission for the Fight against Trafficking in Persons. It is also responsible for implementing the related action plans. Its other responsibilities include awareness-raising, training, data collection, research related to trafficking in persons and migrant smuggling, drafting legal instruments related to trafficking and migrant smuggling, and cooperating with national and international bodies working to fight trafficking in persons and migrant smuggling. To this end the Agency devises and implements awareness-raising, training and education campaigns designed to reduce recurrent risks of trafficking.

121. For 2018, the National Agency for the Fight against Trafficking in Persons and Migrant Smuggling had a budget of CFAF 48 million.

122. With regard to measures to end the subjection of children to the worst forms of child labour, the Niger was the first country in the world to ratify the 2014 Protocol to the ILO Forced Labour Convention, 1930 (No. 29) in June 2015.

123. To help with the implementation of programmes specifically aimed at former slaves or descendants of slaves, the Government of the Niger asked ILO to provide technical assistance for its efforts to fight forced labour and discrimination. In response to this request, a project to support efforts to combat forced labour and discrimination was implemented from 2006 to 2008, and was followed by a second phase, which ran from January 2014 to March 2016.

124. Regional training workshops were organized under this project for traditional chiefs from the eight regions of the country. The workshops covered:

- Notions of forced labour and other related concepts (slavery, trafficking in persons, migrant smuggling, servitude, etc.) and practical forms of the phenomena
- The content of the main national and international legal instruments adopted by the Niger as part of its efforts to fight forced labour and discrimination
- The role of traditional chiefs in the eradication of forced labour

Liberty and security of person and administration of justice (arts. 9 and 14)

Reply to paragraph 20 of the list of issues

125. Any person who is in police custody during an investigation must be examined by a doctor at the end of the period of custody before being brought before the courts. If an investigative police officer fails to carry out this procedure, his or her report will be declared null and void by the judge, without prejudice to the possibility of disciplinary and/or criminal penalties being imposed. Reports have been declared void and penalties imposed on several occasions.

126. There is also a directive of the West African Economic and Monetary Union stipulating that all persons held in police custody have the right to be assisted by a lawyer from the outset of the period of police custody. The Bar Association, the National Human Rights Commission and the courts regularly monitor police custody facilities to ensure compliance with all legal provisions, including compliance with the time limit set for police custody, the right to a medical examination, the right to a lawyer and the prohibition of violence, among other principles.

127. No person may be detained without a warrant. If this were to occur, the victim would have the right to file a complaint of arbitrary detention against the person who agreed to detain him or her without a warrant and the person who gave the illegal order.

128. The duration of pretrial detention may not exceed 6 months in the case of ordinary criminal offences and 18 months in more serious ones, except in cases of murder, with or without premeditation, parricide and other very serious offences. These provisions are strictly respected in practice.

Reply to paragraph 21 of the list of issues

129. The purpose of national policy on justice and human rights is to implement the conclusions and recommendations of the national consultations on the justice system held in 2012, to promote an independent judiciary guaranteeing equality before the law for all persons, and to bring justice closer to the people.

130. A committee has been set up to follow up on implementation of the recommendations resulting from the national consultations, which is led by a permanent secretary. A helpline has also been set up to support efforts to combat corruption and influence peddling in the judiciary.

131. The annual budget allocated to the justice sector for each of the past eight years was:

- 2011: CFAF 5,897,701,918
- 2012: CFAF 6,967,721,117
- 2013: CFAF 8,626,407,771
- 2014: CFAF 14,368,810,912
- 2015: CFAF 10,072,583,315
- 2016: CFAF 14,132,794,165
- 2017: CFAF 10,644,184,201
- 2018: CFAF 10,730,302,911

132. The judiciary has a staff of 395 judges, 316 of whom are assigned to courts and 40 of whom are women, spread across the nine regions of the country as follows:

- Niamey: 139
- Zinder: 34
- Tahoua: 41
- Agadez: 22

- Diffa: 13
- Dosso: 21
- Maradi: 26
- Tillabéri: 20

133. Judges are appointed by presidential decree, subject to prior approval by the Supreme Council of Justice. Prosecutors are appointed by presidential decree on the proposal of the Minister of Justice.

134. The permanent secretariat of the Supreme Council of Justice is responsible for assigning cases among judges, organizing meetings of the Supreme Council and overseeing judges' career progression.

135. Nominations for appointment take account of judges' seniority in grade, specializations, skills and character. Suggestions for nomination are discussed by Council members and approved by presidential decree.

Freedoms of expression and association, right of peaceful assembly and protection of journalists and human rights defenders (arts. 6, 7, 9, 19 and 21)

Reply to paragraph 22 of the list of issues

136. There has been no aggression against journalists but, in certain operations to maintain order, some journalists have felt a need to use violence in order to protest or show resistance, resulting in clashes with police. All policing methods used have been strictly required in order to maintain public order and deployed in accordance with the law. However, this does not rule out the possibility of certain law enforcement officers engaging in unlawful acts, for which, in the majority of cases, they are punished.

137. With regard to the closure of media outlets, it should be noted that such closures are simply administrative measures taken with a view to preventing possible disturbances of public order. The closures were purely a response to the messages of hate, rebellion and incitement to violence that were being channelled through these media. They were carried out in accordance with the law and in order to preserve public peace and tranquillity.

138. With regard to the allegations of threats made against private media, it is necessary to understand that the alleged threats were simply warnings issued to the media in question with the aim of bringing them back into line with codes of conduct and national laws.

139. The Niger does not yet have a specific law protecting human rights defenders and journalists. However, the protection provided under the Constitution and other laws extends to all citizens of the Niger. Journalists are not in any way harassed; persons are left to themselves unless they have committed an offence. In addition, in all prosecutions brought all guarantees of a fair trial have been respected.

140. As regards press freedom, despite an unfavourable security situation, the Niger has a respectable ranking in the Reporters without Borders World Press Freedom Index (forty-third in 2013, forty-eighth in 2014, forty-seventh in 2015, sixty-first in 2017 and sixty-third in 2018).

141. The civil society activists arrested for taking part in an unauthorized demonstration against the 2018 Finance Act were tried on 10 July 2018 in a public hearing in which all guarantees of the rights to a defence were respected.

142. The activists received a three-month suspended prison sentence and a CFAF 300,000 fine. Accordingly, all those arrested were released on 24 July 2018, except for one – a lawyer by profession who was sentenced to a year's imprisonment for being in contempt of court during the proceedings.

Reply to paragraph 23 of the list of issues

143. With regard to the banning of demonstrations, such assemblies always carry a high risk of disruption to public order and, because of the chosen place and time – in Naimey, for example, marches and meetings have been organized to take place after midnight – there are likely to be insufficient law enforcement officers available to police them.

144. Act No. 2004-45 of 8 June 2004 regulates demonstrations on public thoroughfares. Article 2 of this Act imposes an obligation on the organizers of processions, parades, public gatherings and any demonstration on a public thoroughfare in general to give advance notice of the event to the municipal council of the town or city in which the demonstration will take place, in accordance with article 3 of the same law. Article 4 stipulates that the organizers must provide their full names. Article 5 states that the authority responsible for policing may refuse to authorize the demonstration by reasoned decision issued to the signatories of the advance notice.

145. If, after being refused authorization by the council, the organizers of the demonstration wish to go ahead nonetheless, they must either apply to the urgent applications judge for annulment or simply resubmit the notice; they should not ignore the prohibition. Any other response is unlawful and arrests are then justified.

146. The Association for the Defence of the Rights of Consumers of Information Technology, Communication and Energy (Association de défense des droits consommateurs des technologies de l'information, de la communication et de l'énergie) was dissolved following repeated calls for demonstrations, which were followed by acts of vandalism and, in some cases, assaults on law enforcement officers. The Association has even issued messages of hate and called on people to rebel against the regime in power.

Protection of children (art. 24)

Reply to paragraph 24 of the list of issues

147. As part of State efforts to protect children, teachers receive training on children's rights and the consequences of abuse, violence and exploitation affecting children. Social workers also conduct awareness-raising sessions for teachers and Qur'anic teachers in State schools and Qur'anic schools. Some schools have set up school social service units. Persons found to have used violence against children are reported to the judicial authorities so that penalties can be imposed.

148. With regard to birth registration, in 2017 the State party adopted a strategic plan on the civil registration system for the period 2017–2021. The plan's implementation will improve coverage of people's needs not only in terms of access to services but also in terms of awareness-raising, particularly in rural areas.

Participation in public affairs (arts. 18 and 25)

Reply to paragraph 25 of the list of issues

149. In order to guarantee free, reliable and transparent elections in a peaceful climate, in October 2018 the National Council for Political Dialogue, which brings together all 105 political parties, established a committee to take charge of reviewing those articles of the Electoral Code that pose problems. The committee has not yet issued its report.

150. The Independent National Electoral Commission responsible for organizing, running and overseeing ballots and announcing provisional results was established pursuant to article 6 of the Constitution.

151. The Organic Act establishing the Electoral Code stipulates that the Independent National Electoral Commission thus established shall be a permanent body, independent of any other power, authority or organization, that enjoys autonomy of management, organization and operation.

152. The Commission's budget varies according to the number of ballots held in the year.

153. For the various elections scheduled in the country between 2019 and 2021, which include municipal, presidential, regional and legislative elections, a budget allocation of just over CFAF 87 billion is envisaged.

154. These funds will be distributed as follows: CFAF 42.7 billion to build a new biometric electoral register; CFAF 7.2 billion to cover the day-to-day operation of the Commission over the entire electoral cycle; CFAF 13.5 billion to cover the organization of municipal and regional elections; CFAF 13.7 billion to cover the first round of the parliamentary and presidential elections; and CFAF 9.7 billion to finance the second round.

155. The Independent National Electoral Commission has 13 members – an elected President, an elected Deputy President, 3 members appointed by the party in power, 3 members appointed by the opposition, 2 elected representatives of civil society, 1 elected representative of associations of human rights defenders, 1 elected representative of women's associations and 3 executive members appointed by the public administration who are skilled in statistics, public finance and governance.

156. The removal of mayors by the executive is a legal measure provided for under the General Code on Local Authorities. In 2018, a dozen or so mayors from various regions were dismissed for serious misconduct, including financial impropriety. Six mayors – some from the party in power and some from the opposition – were removed from office in 2017.

157. An attempted coup d'état was quashed in December 2015 and in the course of the ensuing investigations several suspects were arrested, including military officers and civilian activists belonging to the opposition party Moden-FA Lumana. After several months of criminal investigations, the cases of all suspects against whom no charges had been brought were dismissed in March 2017.

158. Deprivation of the exercise of civil rights, as provided for in article 20 of the Criminal Code, is a measure imposed only upon convicted prisoners in respect of whom the relevant law authorizes use of this additional penalty. Penalties of this type may be imposed only in respect of offences expressly specified by law.

159. The following categories of persons are deprived of the right to vote and to stand for election: persons who have been convicted in a final, binding ruling and have not been discharged of the offence; persons who have been convicted of an offence which carries a custodial sentence of at least 1 year and have not been discharged of the offence; persons declared bankrupt or fraudulently bankrupt who have not been discharged; persons who have been interned; and persons who have been disqualified.

Reply to paragraph 26 of the list of issues

160. The right to information is enshrined in article 31 of the Constitution of 25 November 2010, which states that: "All persons have the right to be informed and to have access to information held by public sector authorities, in the circumstances determined by law."

161. The Charter on Access to Public Information and Administrative Documents (Ordinance No. 2011-22 of 23 February 2011) provides for access, without discrimination, to all forms of information held by public sector authorities.

162. On 17 April 2018, Members of Parliament considered and adopted the draft law on audiovisual communication in the Niger, recognizing the need to adapt the legal framework for the audiovisual sector in order to rectify shortcomings, inconsistencies and legal lacunae in the regulation of audiovisual communication.

Rights of ethnic minorities (arts. 2, 6, 25 and 27)

Reply to paragraph 27 of the list of issues

163. No ethnic group is threatened or harassed: all groups are equal pursuant to articles 10, 14, 15, 17, 21 and 28 of the Constitution and its preambular paragraphs.

164. Concerning nomadic and pastoralist communities such as the Peulh, it should be noted that land policy provides for equality in land registration, recognition of the land rights of pastoralist populations and the construction of a framework in which producers' rights are protected.

165. With regard to reports that more settled populations are taking over pastoral lands, this issue is one of the central concerns of land policy, given the increasing pressure on land attributable to demographic expansion on the one hand and fierce interest in land and natural resources on the other.

Dissemination of information relating to the Covenant (art. 2)

Reply to paragraph 28 of the list of issues

166. Civil society organizations were consulted during the data-collection phase that informed this report. They subsequently took part in the national workshop at which the report was approved, which was attended by all stakeholders.

167. All State bodies that are members of the Interministerial Committee have been informed of the report's content and its imminent submission to the Committee. Civil society organizations working to protect and promote human rights have likewise been informed. Once the report has been considered, the head of the delegation will issue a press briefing and make a statement before the Council of Ministers to increase awareness of the Covenant and all the related challenges in all population segments.